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United States Bankruptcy Court

District of Nevada

Chapter 11

Jointly Administered

Under Case No. BK-S-06-01167-LBR

USA Commercial Mortgage Company

"NOTICE OF HEARING"

AND "MOTION FOR SUMMERY JUDGEMENT"

06-10725

2/21/08
9:30

Dutkin Trust, Adversary Proc., No. 06-01167-LBR

Claim No. 10725-01395

February 18, 2008

To: George Frame, Esq., Attorney for Defendant John Dutkin, Trustee

601 Greenway Road, Suite D

Henderson, NV 89002

(702) 598-4620

(702) 598-4624 Fax

From: Howard and Lorene Connell, "Pro Se"

Referenced Purchaser of Fractional Beneficial Interest from "Dutkin Trust"

946 Roseberry Road

Las Vegas, NV 89138

(702) 340-3184, (702) 254-1501

Email; howlor5@aol.com

We (Howard and Lorene Connell) have received your certified mailing of "Notice of Hearing" and "Motion for Summary Judgment" on behalf of your client "Dutkin Trust". However, obsolete contact information caused significant delay in (us) receiving these documents in a timely manner.

Your signed, return "certified mailing" receipt, documents our receipt of your mailing, at our NEW mailing address, February 14, 2008. (Included is a copy of your mailing envelope, showing our new forwarding address.)

Please update you records accordingly!

Additionally, a recent letter from Robert Lepome , our former counsel (included), wherein he states he retired from his law practice, July 2007 and therefore can no longer represent us.

Please update your records accordingly!

We also received Notice, from Lewis and Roca, Attorneys for USACM Liquidating Trust, of their up and coming "STATUS REPORT" hearing, regarding the yet to be resolved, "Dutkin / Connell, "Action."

This hearing is scheduled for February 21, 2008, 9:30 am, in Judge Linda Riegel's Court.

Unfortunately, these time delays and lack of legal representation, now put the "Connell's" at a great disadvantage.

Therefore, we are imposing on your sense of fairness by requesting a stipulated 90 day continuance, on this matter.

We DO NOT have the financial resources, at this time, to hire an attorney to represent our position. Therefore, we will be represented, "Pro Se". Should it happen both parties are unable to come to a equitable solution, I will need time to educate myself and get prepared for an "Adversary Hearing."

If you find that your clients are unwilling to stipulate to a "continuance", I will address the court on February 21, 2008 and request one from the Court.

RESPECTFULLY SUBMITTED, February 18, 2008 (via Fax.)



Howard Connell

1 cc;
2 Clerk of the United States Bankruptcy Court,
3 LBR Courtroom 1
4 Foley Federal Building
5 300 Las Vegas Blvd, South
6 Las Vegas, NV 89101
7 (702) 388-6257
8
9 LEWIS and ROCA, LLP
10 3993 Howard Hughes Parkway, Suite 600
11 Las Vegas, NV 89169-0961
12 Susan M. Freeman
13 Rob Charles
14 Attorney for USACM Liquidating Trust
15 (702) 949-8320
16 (702) 949-8321 Fax
17
18

Robert C. LePome, J.D.

2040 May Valley Way

Henderson, NV 89052

Tel: (702) 492-9971

Fax: (702) 636-9971

rlpome@cox.net

Howard and Lorene Connell

1001 Jennis Silver St.

Las Vegas, NV 89145

Re: USA Capital Interpleader action

Dear Mr. and Mrs. Connell:

As you may recall, I withdrew from representation of all USA Capital Clients in May, 2007 with three exceptions. Yours was one of them. Our understanding was that you would negotiate with George Frame and I would stay on only to prepare the Stipulation and Order implementing your eventual agreement with Mr. Frame.

In July, 2007 I retired from the practice of law and Susan's last day was August 31, 2007. She now works for another attorney who does bankruptcy work and noticed that Mr. Frame had filed a motion for summary judgment which is probably similar to the one that was filed by John J. Laxague, Esq. when he represented Beverly Stiles against you. I have not seen the Motion and since my status with the Nevada Bar is "INACTIVE - RETIRED", I cannot represent you in this matter.

I enclose the e-mail from Susan. She is probably incorrect in believing that you would "lose all their investment", but her bringing this to my attention on her own time was very thoughtful. It is probable that the Motion for Summary Judgment, if unopposed, would leave you with your investment in Fiesta Stoneridge. See enclosed Interpleader Summary from your file. In any event you should contact George Frame and tell him that I have retired and ask him to send you a copy of the Motion. Then either finalize a settlement or request a continuance so that you can obtain counsel. I am sure that he will stipulate to a continuance if you cannot reach a settlement.

Call me if you have any questions. I cannot give legal advice, but can at least give you your file and can supply my recollections of what transpired when I was in active practice.

Sincerely,



Robert C. LePome

Enclosure

EC: 88138758045 *0979-23599-07-35

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0046 LAS VEGAS NV

NOTION Y
ENDS
NEW
NEW
02/05/00

Howard and Lorene Connell

14-00000-7500

Robert Lepome
2040 May Valley Way
Henderson, NV 89052

MILS 47419-1

**LEWIS
AND
ROCCA
—LLP—
LAWYERS**

**40 North Central Avenue
Phoenix, Arizona 85004-4425**

Howard & Lorene Connelle
1001 Jennis Silver Street
Las Vegas, NV 89145-8686

049J8202

02/06/20

6-15-68

0901 NBE 1 B07C 38 02/09/0
 0000 OF NEW ADDRESS

DR ROSEBERRY
946 ROSBERRY DR
LAS VEGAS NV 89138-7500

EC: 09130758045 *0754-00413-05-4

01-139133-7 500

